

CITY OF MEMPHIS, SHELBY COUNTY, TENNESSEE
MEMPHIS CHARTER COMMISSION MEETING
January 17, 2008

CALL TO ORDER: Commissioner Lowery called the meeting to order at 3:05 p.m. The following members of the Commission, constituting a quorum, were present: Willie Brooks, George Brown Jr., Marsha Campbell, Sylvia Cox, Janis Fullilove, Myron Lowery and Sharon Webb.

Others in attendance included: Ricky E. Wilkins, The Law Offices of Ricky E. Wilkins; Steve Townsdin, City of Memphis Senior Assistant City Attorney; Bridgett Handy-Clay, City of Memphis Open Record Coordinator; Professor Steve Wirls, Rhodes College; Myra Stiles, Shelby County Election Committee; V. Lynn Evans, Charlotte Knight-Griffin and Jerry Collins, MLGW; among others.

APPROVAL OF MINUTES: Chairman Lowery noted that copies of the minutes from the Commission meeting of December 5, 2007 had been circulated prior to the meeting and asked if there were any changes or corrections. With no changes, the minutes were approved as presented.

OPENING DISCUSSION: Via telephone, Steve Lobertina with MTAS noted that the clean-up effort with the City of Memphis Charter is going well. He stated the first revised installment which includes all of the amendments affected by the POP Charter should be submitted by Friday, January 25, 2008. He further stated that he is on target to complete the work by May 2008. In closing, Chairman Lowery stated that there will be some additional attorneys reviewing Mr. Lobertina's work.

PRESENTATIONS AND RECOMMENDATIONS: Ms. Myra Stiles, representative of the Shelby County Election Committee, recommended the following to the Commission:

- Staggered terms for city council
- Realign the municipal election schedule with the November general election
- Remove the requirement for filing fees; or set up a procedure for the fees to be collected by the city which would require the candidate to provide proof of payment when the petition is filed with the election commission
- Clarify the residence requirement of five years
- Eliminate runoffs in district council elections, or clarify timing of runoff elections
- Require the appointment of outside counsel on questions regarding municipal elections rather than using the services of the City Attorney

MEMPHIS LIGHT GAS & WATER: Ms. Charlotte Knight, Attorney for MLG&W, began her presentation by describing the responsibilities set forth in the City of Memphis Charter for MLG&W Board of Directors. She then called on Ms. Lynn Evans, Chairman of the MLG&W Board, to comment on several issues of concern. Ms. Evans noted that there is a level of responsibility between the Mayor, the City Council, and their Board to

provide quality services to the public, but the level of authority to carry out the responsibility is not mutual. To make things work more efficiently, Ms. Evans asked the Commission to consider looking at the areas in the charter that affect the day to day operations of MLG&W.

For example, she explained the City Council has to approve any MLG&W contracts in excess of \$25,000, and that process can sometimes delay work. In closing, she noted that her suggestions have not been voted on nor discussed by the MLG&W Board of Directors. She noted her attendance as a citizen and a member of the Board is to share some concerns. Chairman Lowery extended an invitation to Ms. Evans and her colleagues to present the Charter Commission with specific recommendations in writing in the near future.

Commissioner Brown stated the only Commission in the city that can address MLG&W issues is the Charter Commission. He stated there needs to be an examination of the City's Charter as well as some adjustments to the Charter to avoid some of the same situations that have occurred in the past.

REPORT OF THE ATTORNEY: Attorney Ricky Wilkins began his report on term limits by stating that term limits are simply a matter of local preference. He indicated that some cities have adopted term limits for the Mayor and City Council members, while other cities limit application only to the Mayor. He stated for the cities that have adopted term limits most of them have limited terms – i.e. (2) two four year terms. Mr. Wilkins stated that there are no “best practices” as it relates to term limits, and the Commission would have to decide the number of years to present to voters.

He also recommended that the Commission propose to voters an independent ethics committee that would carryout the same function established under the Memphis and the Shelby County ethics ordinance. Commissioner Brown asked Mr. Wilkins to draft some stronger language than what the City Council passed concerning ethics, to possibly be placed as a referendum on the Ballot.

ADJOURNMENT: There being no further business, Commissioner Lowery announced that the next meetings of the Commission would be held on February 7, and February 21, 2008.

The meeting was adjourned at 4:50 p.m.

Respectfully Submitted

Bridgett Handy-Clay